

August 6, 2019

VIA ECF

Honorable Kevin P. Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Pierson v. Facebook, Inc., 1:19-cv-00397 (PKC)

Dear Judge Castel:

We represent Plaintiff Kristen Pierson (“Plaintiff”) in the above-captioned case and write to respectfully request the Court’s leave to file a Amended Complaint by way of joint stipulation under Rule 15(a)(2) of the Federal Rules of Civil Procedure. The proposed amended pleading seeks to add a claim for secondary liability against Defendant.

After the Court granted Plaintiff leave to file a motion to amend [Dkt. #28], Defendant agreed to stipulate to the filing of the amended pleading (the executed stipulation is filed concurrently herewith via separate docket entry).

Federal Rule of Civil Procedure 15(a)(2) states that a court “should freely give leave [to amend a pleading] when justice so requires.” *See F5 Capital v. Pappas*, 856 F.3d 61, 88-89 (2d Cir. 2017). The Rule’s standard is a “permissive” one that embodies a “strong preference for resolving disputes on the merits.” *Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC*, 797 F.3d 160, 190 (2d Cir. 2015) (internal citations omitted).

Here, Defendant has stipulated to the filing of the proposed amended complaint. Accordingly, there can be no showing of prejudice which would warrant denial of the requested relief. For good cause shown, and because there is no opposition, Plaintiff respectfully requests that the Court grant leave to file the Amended Complaint, which is annexed to the stipulation filed concurrently herewith.

Respectfully Submitted,

/richardliebowitz/
Richard Liebowitz

Counsel for Plaintiff